

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LARRY BROWN,

Plaintiff,

9:07-CV-842

vs

DR. MICHAEL F. HOGAN; DR. DONALD SAWYER;
and DR. TERRI MAXYMILLIAN,

Defendants.

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APPEARANCES:

LARRY BROWN

Plaintiff, *pro se*

0246987

Central New York Psychiatric Center

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HON. ANDREW M. CUOMO

Attorney General of the

State of New York

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Albany, New York 12224

DAVID N. HURD

United States District Judge

OF COUNSEL:

JUSTIN C. LEVIN, ESQ.

Asst. Attorney General

**DECISION and ORDER**

Plaintiff, Larry Brown, brought this civil rights action pursuant to 42 U.S.C. § 1983.

By Report-Recommendation September 8, 2009, the Honorable Gustave J. DiBianco, United States Magistrate Judge, recommended that defendants' motion for summary judgment (Docket No. 45) be granted, the complaint be dismissed in its entirety; and that plaintiff's

cross motion for summary judgment (Docket No. 46) be denied. The plaintiff has timely filed objections to the report-recommendation.

Based upon a careful review of the entire file and the recommendations of Magistrate Judge DiBianco, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that

1. Defendants' motion for summary judgment is GRANTED;
2. Plaintiff's cross-motion for summary judgment is DENIED;
3. The complaint is DISMISSED in its entirety; and
4. The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: November 6, 2009  
Utica, New York.

  
United States District Judge